

**Amendments to the Drawings:**

One of the two reference characters “220” has been removed from Figure 2, “802” has been removed from Figure 15, “804” has been removed from Figure 16,

## REMARKS

Claim 1 has been amended as requested to address its clarity.

Claims 1, 2, 5, 7-9, 12-18, 21 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Vallmajo et al. in view of Suzuki et al. and Tsai et al. The rejection is respectfully traversed.

It is a feature of the present invention to provide a method and system for detecting and removing defects in an image by changing the orientation of the image on a medium between capturing the image first and second times. The first and second captured images are analyzed to identify defects.

Vallmajo et al. relates to scanning a document that has been placed on a scanner bed in an arbitrary orientation relative to the scanner bed. The orientation of the document is determined during a low resolution pre-scan. Next, the document is again scanned, but this time in high resolution to provide a print having an image in a desired orientation irrespective of the document's orientation relative to the scanner bed. The Examiner seems to be relying on Vallmajo et al. merely for its teaching of scanning a document twice, and that is not disputed by Applicant. However, Vallmajo et al. contains no disclosure of changing the orientation of the image between scans, and does not relate to defect detection and correction.

Suzuki et al. relates to document copying machines capable of reproducing two-sided (duplex) originals by scanning one side of the original, turning the original over, and scanning the other side of the document. Suzuki et al. do not disclose scanning the same image twice; rotating the document between scans. Nor does the Examiner seem to be suggesting that it does. Like Vallmajo et al., Suzuki et al. does not relate to defect detection and correction.

Tsai et al. does relate to defect detection and correction. Two images are created; one using a primary light source and the other using an auxiliary light source. The auxiliary light source illuminates the document from an optical angle different from the optical angle of the primary light source. Information contained in the auxiliary image is used to correct the image created by the primary light source. The present invention eliminates the need for an auxiliary light source without eliminating its function.

According to the Office Action the three references (Vallmajo et al., Suzuki et al., and Tsai et al. "are combinable because they are all from the same field of endeavor." Assuming that this conclusion is correct, the combination would produce a duplex copier (Suzuki et al.) that used a low resolution pre-scan to determine the orientation of the document on the platen before using a high resolution scan to provide a print image in a desired orientation irrespective of the document's orientation relative to the scanner bed (Vallmajo et al.). The high resolution scan would involve an auxiliary light source to illuminate the document from an optical angle different from the optical angle of the primary light source to produce an auxiliary image useable to correct the image created by the primary light source (Tsai et al.); but the primary and auxiliary images would be derived from images on opposite sides of the duplex document.

Thus, it appears that the references alone and in combination do not disclose the claimed invention as what the references are said to teach does not appear to correspond to what has been claimed. The primary reference fails to disclose changing the orientation between storing a first captured image of an image on a medium, storing a second captured image of the image on the medium, and analyzing the two captured images to identify defects. Assuming arguendo that the references might be capable of combination, there is at least one limitation in the claimed invention that is not disclosed by the references individually or in combination. "Each element of a claim is material." *Ashland Oil, Inc. v. Delta Resins & Refractories, Inc.*, 227 USPQ 657,666 (Fed. Cir., 1985).

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

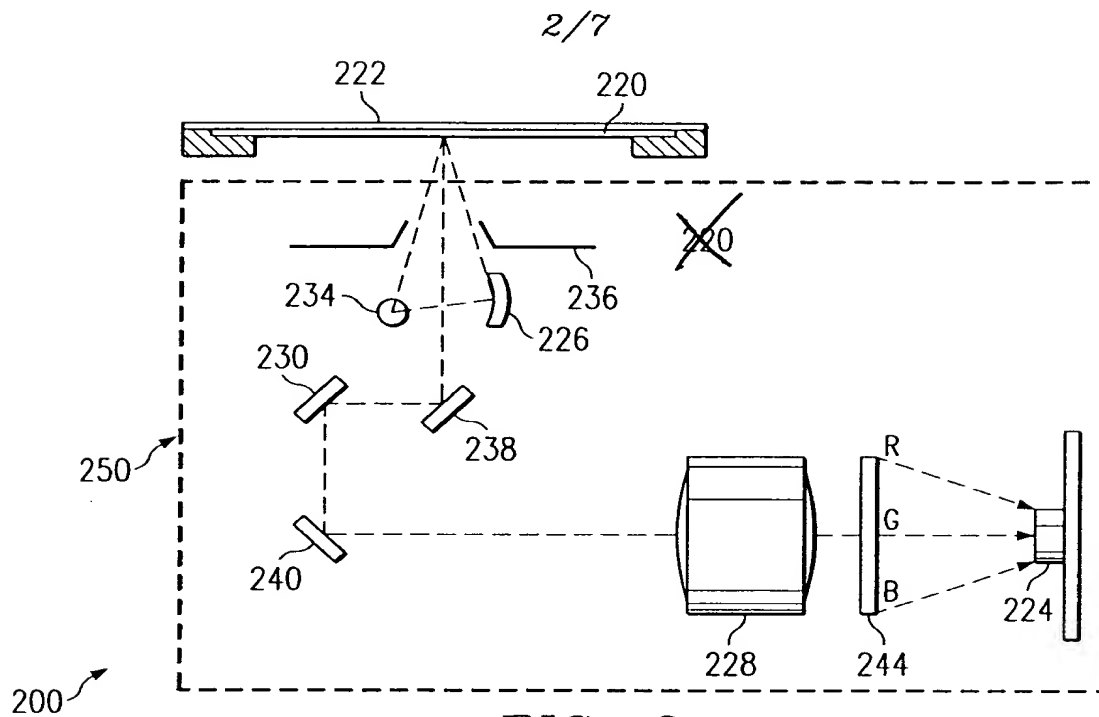


FIG. 2

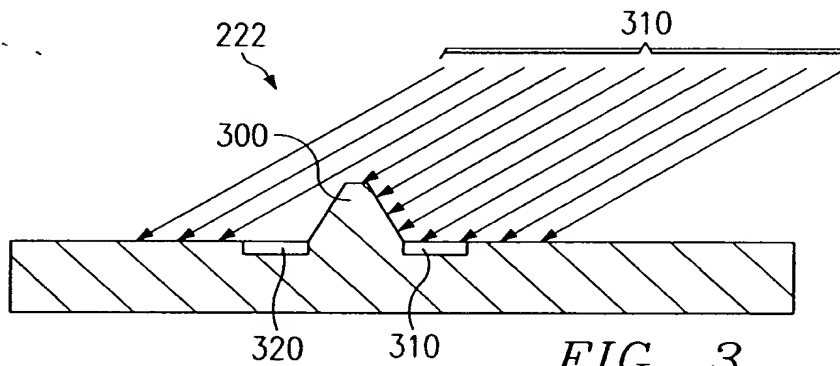


FIG. 3

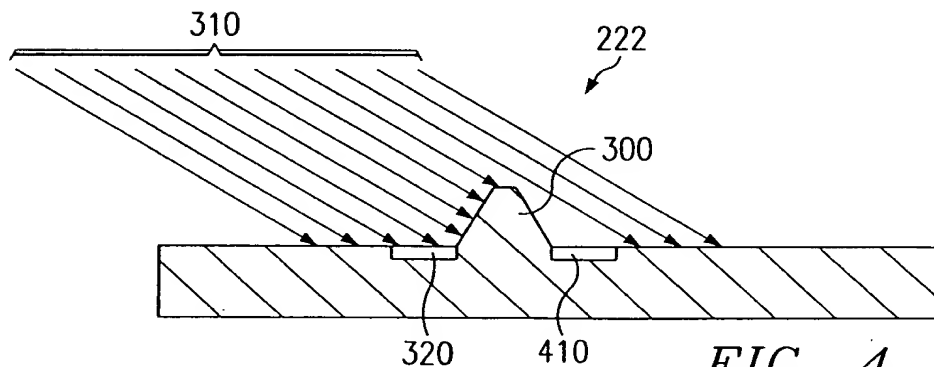


FIG. 4



6/7

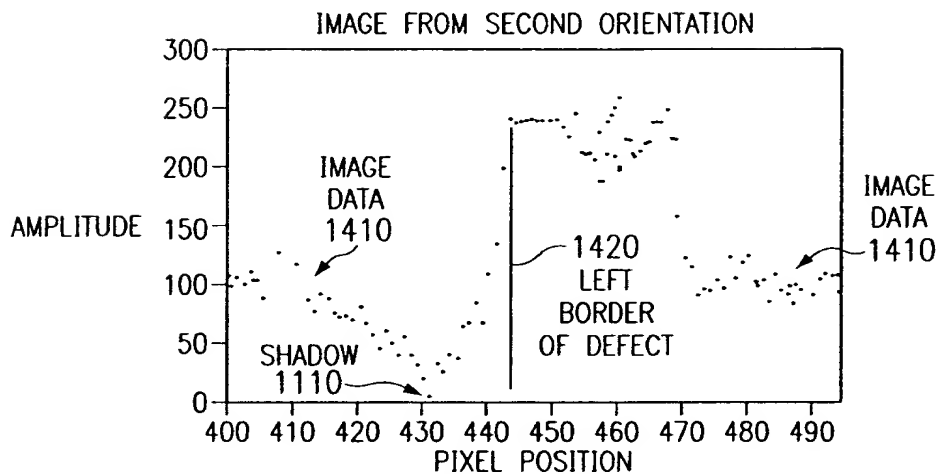


FIG. 14

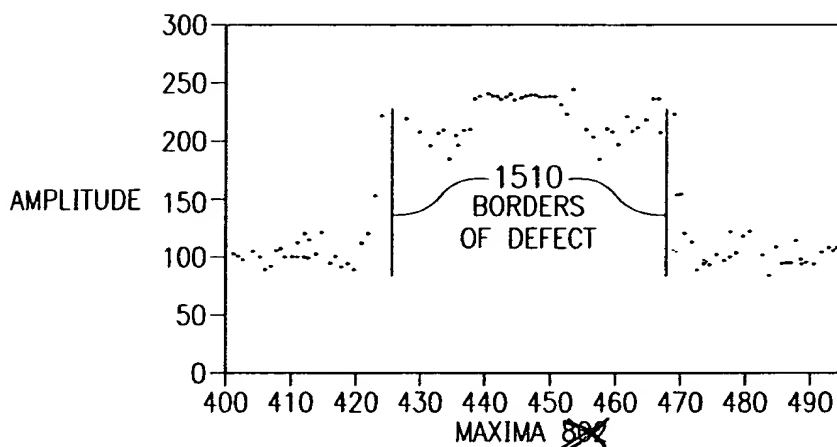


FIG. 15

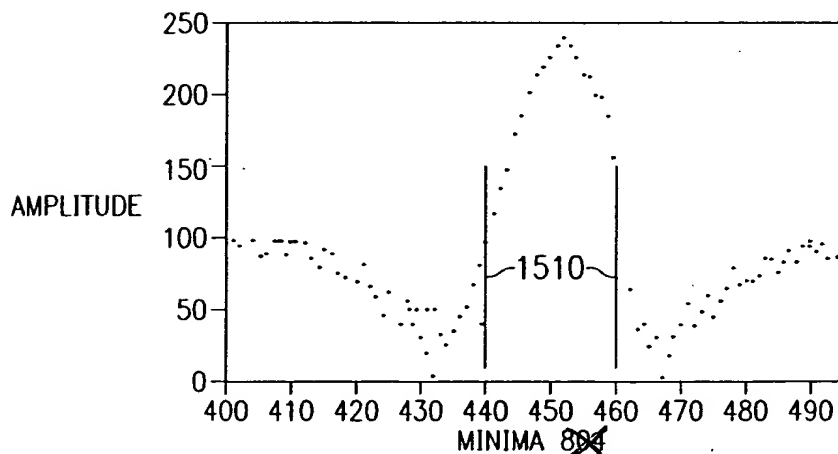


FIG. 16